



## TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryants Lane

Tyngsborough, MA 01879

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### Selectmen's Meeting Agenda

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Monday December 04, 2006

6:00 P.M.

Town Offices

Members present: Selectman Jay Booth, Selectman Kevin O'Connor, Selectwoman Jacqueline Schnackertz, Selectman Rich Lemoine and Selectwoman Karyn Puleo.  
Staff present: Town Administrator Rosemary Cashman and Admin Assistant Therese Gay.

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The Board was introduced, and the agenda was read.

1. 6:05 P.M. Street Sign Hearing – Bryants Lane

A motion was made by Selectman O'Connor to open the hearing, second by Selectman Booth. The Board voted unanimously to open the hearing.

A motion was made by Selectman O'Connor to waive the reading of the abutters list, second by Selectman Booth. The Board voted unanimously to waive the reading.

The legal notice and letters from the town's safety departments were read into the record the letters were in support of the Board's decision. The Town Administrator gave a brief history on the reasons why the do not enter sign was placed at that location. She has spoken with the Police, Highway and the Fire Departments. After having done the research and reviewed the matter, the State Highway Department was contacted and the final say on whether the signs stay or go lies with the State Highway Department.

The meeting this evening is to discuss whether the Do Not Enter signs placed near the Town Hall Driveway should remain and a request on the removal to the State. The reason for the sign was to limit additional traffic. The Residents have voiced concerns about their not being able to turn left out of there driveways which are located after the sign. The Residents have asked the Board to take down the signs and put signage up to notify the public that it will be a two-way street and asked that a sign be place to warn drivers that there are small children playing near the street. After some discussion the Board voiced their opinion favoring the removal of the signs.

A motion was made by Selectman O'Connor to close the hearing, second by Selectwoman Schnackertz. The Board voted unanimously to close the hearing.

Since the existing signs do not come under the jurisdiction of the Selectmen, a vote is not needed. It was agreed that the do no enter signs should be removed, that signage for 2-way traffic be installed, and striping of the road be done.

2. Citizen's Time

No one came forward this evening.

3. Selectmen's Annual License Renewals

Common Victualler License Request – Country View Diner

The Board postponed action pending the purchase/lease agreement.

The Board continued with the renewal process for all of the establishments holding licenses. The Board will review and vote to the approval of the Automatic Amusement Devices License on Monday, December 18, 2006.

A motion was made by Selectwoman Schnackertz to renew the General License, Common Victualler License and the Weekday and Sunday Licenses for AMC Theatres, Skate 3, Roller Kingdom and Tyngsborough Sports Center, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion made by Selectwoman Schnackertz to renew the Common Victualler License to Aramark Corp. (Voke School Restaurant), Bittersweet Bake Shoppe, Chartwells Dining Services (Tngs School Cafeterias), Comets, Country View Diner, Dream Diner, Dunkin Donuts, Kentucky Fried Chicken, Lake East Restaurant, Lakeside Pizza & Seafood, Li'l Lobster Boat, Max's Golf, Lukoil/Texaco Super Mart, On the Run Store/Mobil, B&P Romano's, Pizza Pizzazz, Skate 3 Snack Bar, Sulloivan Ice Cream, The Pines, Second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the Wine and Malt Restaurant License to be Drunk on Premise and Common Victualler License to DE mari Montini (USA), LTD – DBA Bella Italia; Caffè Il Ciproso, Inc. – DBA Café Il Ciproso; George Tsingos and Anastasios Doukas – DBA Flint's Pizza and Seafood; and Iperos, Inc. – DBA OlymOic Pizza, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the Wine and Malt Package Store License Not to be Drunk on Premise and Common Victualler License to Jayesh Patel, Inc. – DBA Bridgeveiw Convenience Store; Anjali, Inc. – DBA Sun City Variety; and Murco, Inc. – DBA Tyngsboro General Store, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Restaurant Beverages License To Be Drunk on Premise, the Common Victualler License, the Weekday and Sunday Entertainment Licenses to Banjo Pub; Blue Moon Lounge; Masamillians; O'Conley's; Pub 30 Something; Robert D. Pelletier American Leion Post #247; Smokey Bones, and Tyng's Tavern & Grill, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Restaurant Beverages to Be Drunk on Premise License and Common Victualler License to Carrabba's; On the Boarder Restaurant; Outback Restaurant; the Olive Garden Restaurant, and the Tyngsboro Country Club, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Restaurant Beverages to be Drunk on Premise License and Common Victualler License and Weekday Entertainment License to 310 Realty, LLC, second by Selectman Lemoine. The Board voted unanimously to renew the license.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Restaurant Beverages to be Drunk on Premise License to R S & A P Westford Road, second by Selectman Lemoine. The Board voted unanimously to renew the license.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Club License, and the Common Victualler License to the Tyngsboro Sportsmen's Club, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Club License, the Common Victualler License, the Weekday and Sunday Entertainment Licenses, and the Wine and Malt Club License, to the Vesper Country club, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the All Alcohol Beverages Inn License, the Common Victualler License, and the Wine and Malt Package Store License to the Stonehedge Inn, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the Class 1 License to New England Transit Sales, second by Selectman Lemoine. The Board voted unanimously to renew the license.

A motion was made by Selectwoman Schnackertz to renew the Class II license to Forrest Marine; LCM Auto Sales; Modern Auto Sales; Performance Sales; Tyngsborough Equipment; Tyngsboro Motor Sales; and Tyngsboro Muffler & Brake, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the Class III – Junk Car License to A. G. Pennino, Co.; Auto Craaft Enterprises; and Duff's Garage, second by Selectman Lemoine. The Board voted unanimously to renew the licenses.

A motion was made by Selectwoman Schnackertz to renew the Livery License to R. M. Limousine Service, second by Selectman Lemoine. The Board voted unanimously to renew the license.

#### 4. Police Chief Search Process

The Board has received correspondence from the Chief of Police stating that he is retiring by February 1, 2007. The Administrator has prepared a schedule detailing the dates and time necessary for the search, interviews and hiring a new police chief. Selectman O'Connor thanked the Administrator for the schedule.

#### 5. Other Business (if necessary)

- A. Open the May 15, 2007 Annual Town Meeting and Special Town Meeting Warrant for the submission of articles.

A motion was made by Selectman O'Connor to open the warrants, second by Selectwoman Schnackertz. The Board voted unanimously to open the warrants.

#### 6. Correspondence

A motion made by Selectwoman Schnackertz to approve the 25 pieces of correspondence, second by Selectman Booth. The Board voted unanimously to approve the correspondence. Chairman Puleo asked if anyone wanted to pull out any pieces of correspondence to discuss. The license request for the common victualler for Country View Diner was taken out for discussion. The owner of Country View Diner spoke to Selectmen O'Connor and advised him that the final paperwork on the purchase/lease has not been finalized as of this date.

#### 7. Selectmen's Notes

Selectman Booth spoke to his progress with the insurance review. Selectman O'Connor spoke to the recycling. He would like the Board to invite the Board of Health to a meeting in January for discussion. Selectwoman Schnackertz thought it a good idea as this way there would be an open discussion on what can be recycled. A note to all viewing the disposal of Christmas trees will be at the same locations as before: the Community Center on Lakeview Avenue and at the Highway Garage on Kendall Road. Selectman Lemoine is glad to hear that the Board of Selectmen and the Board of Health will meet to discuss recycling. Selectman Lemoine also would like to have a public hearing to invite all the establishments to discuss the possibility of having the AED machines in their establishments. The Board will work with NMCOG for the housing study, the funds were from the CPC funds put aside for housing. The purchase of the Tyngsboro Campground has been finalized it now belongs to the Town. Selectwoman Puleo reminded everyone of the Senior luncheon on the 21<sup>st</sup>. The interviews for Town Accountant are going well and should have an Accountant by January.

#### 8. Town Administrator's Notes

The Town Administrator announced that the operating budgets are due this week. The Selectmen approved the license with Verizon. The Historical Commission has hired an Architect to help prepare plans for the renovations of the Old Town Hall Bldg. and will be before the Selectmen to present the plans. The Smart Growth Grant for technical assistance has been granted. The process for filling the Personnel vacancies is moving forward. The Assessor's office has not heard a word about the tax certification.

#### 9. Work Session (If Necessary)

A motion was made by Selectwoman Schnackertz to enter into a Work Session to discuss the Police Chief's search process, second by Selectman Lemoine. The Board voted unanimously to enter into a work session.

The Board discussed the interview schedule and the drafting of the ad. A few questions were asked on residency requirements, salary range and the position description. After discussions the Board voted to enter into Executive Session to discuss collective bargaining.

#### 10. Executive Session (If Necessary)

A motion was made by Selectwoman Schnackertz to enter into Executive Session to discuss collective bargaining and to return to open session only to adjourn, second by Selectman Booth.

Roll Call Vote: Selectman Jay Booth, yes; Selectman Kevin O'Connor, yes; Selectwoman Jacqueline Schnackertz, yes; Selectman Rich Lemoine, yes; and Selectwoman Karyn Puleo, yes.

Selectman O'Connor leaves the meeting.

The Selectmen discussed the negotiation strategies for the union contracts that are expiring. The Highway department wants to donate some sick time to a colleague who is very sick and has no sick time left. The Board after discussions voted to exit the session.

A motion was made by Selectwoman Schnackertz to exit Executive Session and to return to open session only to adjourn, second by Selectman Booth.

Roll Call Vote: Selectman Jay Booth, yes; Selectman Kevin O'Connor, yes; Selectwoman Jacqueline Schnackertz, yes; Selectman Rich Lemoine, yes; and Selectwoman Karyn Puleo, yes.

#### 11. Adjournment

A motion was made by Selectman Booth to adjourn the meeting, second by Selectwoman Schnackertz. The Board voted unanimously to adjourn.

The meeting adjourned at 8:45 P.M.

Respectfully submitted

Therese Gay  
Admin Assistant

Minutes approved on \_\_\_\_\_.